

Bedford Hills, New York
July 17, 2012

The second meeting for the month of July of the Town Board of the Town of Bedford was held on July 17, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:40 P.M. by Supervisor Roberts.

| | | |
|-----------------|---------------------|--------------------------------|
| Present: | Lee V. A. Roberts | : Supervisor |
| | Peter Chryssos | : Councilman |
| | Francis T. Corcoran | : Councilman |
| | Chris Burdick | : Councilman |
| | David Gabrielson | : Councilman |
| | Lisbeth Fumagalli | Town Clerk |
| | Joel H. Sachs | : Town Attorney |
| | Kevin Winn | : Commissioner of Public Works |
| | William Hayes | : Chief of Police |
| | Jeffrey Osterman | : Town Planner |
| | Amy Pectol | : Receiver of Taxes |
| | Steven Fraietta | : Building Inspector |
| | Edward Ritter | : Town Comptroller |

And seven (7) residents/observers.

APPROVAL OF CLAIMS

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

| | 2012 |
|-------------------------------|----------------------|
| Paid Prior to Audit | S 68,901.70 |
| General Fund | 45,782.73 |
| Highway Fund | 6,734.36 |
| Consolidated Water District | 20,007.17 |
| Cedar Downs Water District | 1,376.00 |
| Farms Water District | 35.00 |
| Old Post Road Water District | 70.00 |
| Energy | 1,000.00 |
| Special Districts: | |
| Bedford Village Memorial Park | 3,091.84 |
| Bedford Hills Memorial Park | 2,063.81 |
| Katonah Memorial Park | 2,526.01 |
| Capital Projects | <u>197,822.46</u> |
| | \$ 349,411.08 |

MONTHLY REPORTS

Mrs. Roberts advised that the monthly departmental reports were available during normal business hours in the offices of the Supervisor and the Town Clerk.

REPORT from the Cemetery Committee

Jenny Weissburger and John Stockbridge of the Cemetery Committee gave a slide presentation to the Town Board showing the cemeteries owned by the Town of Bedford and the history of the cemeteries.

On a motion by Mr. Burdick, seconded by Mrs. Roberts, the following resolution was ADOPTED

Ayes: Roberts, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None
Recused: Chryssos

RESOLVED that the Town Board does hereby appropriate \$12,975.00 from the Chichester Cemetery Fund for a one (1) year commitment to repair head stones in the Lake Marie, Buxton, Old Burying Ground and Chichester Cemeteries.

DEPARTMENTS

1. Equipment Donation Request.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the donation of the following to the Bedford Hills Fire Department as per the memorandum dated July 3, 2012 from William Hayes, Chief of Police:

- a. old equipment that the Police Department no longer serves the needs of the department in the form of portable radio cases, portable radio batteries, 5 portable radio bodies, portable radio antennas, speaker microphones and battery chargers.
- b. Installation of a Bedford Police Department radio in the Emergency Management Command Center which would remain the property of the Bedford Police Department.

2. Bedford Police have received a second award of mobile data terminals under the NYS TraCS program.

Chief Hayes advised that the Town of Bedford Police Department has received a second award of mobile data terminals under the Traffic and Criminal Software Program (TraCS). He noted that the value of this award was \$28,942 bringing the total value of the equipment awarded under this program to \$40,868.

3. Request to go to bid for plumbing and electrical services.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the request to go to bid for plumbing and electrical services for Town facilities as per the memorandum dated July 12, 2012 from Steven Fraietta, Building Inspector.

4. Accept quotes for the IT phase III project.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the purchase and installation of equipment for IT Phase III in the amount of \$53,281.56 as per the memorandum dated July 10, 2012 from Edward Ritter, Town Comptroller.

5. Recommendation to accept bid to paint the Cedar Downs Water District Water Storage Tank.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None

Absent: None

RESOLVED that the Town Board does hereby award the bid for the painting of the water storage tank in the Cedar Downs Water District to Scaturro Bros. Inc., t/a Alpine Painting and Sandblasting Contractors, 17 Florida Avenue, Paterson, New Jersey 07503 in the amount of \$179,365.00, the lowest, most responsible bidder with qualified references, having included Addendums 1 through 3 in his bid amount, subject to the submission of bonds and insurance, as per the memorandum dated July 12, 2012 from James J. Hahn, Town Consulting Engineer.

6. EIC/Town of Bedford Agreement.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the agreement between the Energy Improvement Corporation (EIC) and the Town of Bedford in order for the Town to pay vendors from the grant monies that have been received from State and Federal agencies.

7. Really Social Strategies Agreement.

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the agreement between Really Social Strategies and the Energy Improvement Corporation for social media marketing and related services to the Energy Improvement Corporation and its member municipalities for a term that shall expire September 30, 2013.

8. Request to publish estoppel for 15 year bonds.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that as the thirty (30) day period for the permissive referendum is complete and no protests have been submitted concerning the fifteen (15) year bonding resolution adopted by the Town Board on June 5, 2012, that the Town Board does hereby reaffirm the adoption of said bonding resolution and does hereby authorize the Town Clerk to proceed with the necessary documentation to complete the process.

CORRESPONDENCE

1. Request to hold Katonah 5K Road and Trail race Saturday, September 8th.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the request of Annie C. Bai for a 5K Road race to be held in the hamlet of Katonah on Saturday, September 8, 2012 subject to the following conditions:

1. Coordinating the event with the Town of Bedford Police Department and payment of expenses relative to the Police personnel.
2. Receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and Town's indemnification form.
3. Approval from the Katonah Elementary School for the use of their facilities.
4. Submission of the necessary forms to the Town of Bedford for the event.

2. Authorization of Open Space funds for open space purchase.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the expenditure of \$200,000.00 from the Open Space funds, source of funding to be determined, to be used towards the purchase of a conservation easement on 20 acres of land in the Twin Lakes Subdivision, known as lots 7, 8, 9 and 10 as per the request dated July 12, 2012 from Rod Christie, Director, Mianus River Gorge Preserve.

PERSONNEL

1. Fred Silverman request for reappointment to Communication Committee.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby reappoint Fred Silverman to the Communications Committee, as member and Chairman, for a three (3) year term, said term to expire July 1, 2015.

2. Don Scott request for reappointment to Communication Committee.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby reappoint Don Scott to the Communications Committee, as member and Chairman, for a three (3) year term, said term to expire July 1, 2015.

NEW BUSINESS

1. Authorize Supervisor to sign the Student Assistance Services Contract for 2011.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Student Assistance Services Corporation Agreement through the Westchester County Department of Health, with the Town of Bedford represented by the Bedford Drug Abuse Prevention Council, for the period January 1, 2011 to December 31, 2011, with the maximum amount payable to the Town of Bedford \$5,272.00.

2. Set Executive Session – Possible Litigation with the Filtration Plant.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby schedule an executive session to discuss possible litigation with the Town of Bedford Water Filtration Plant to be held at the conclusion of the regular meeting.

July 17, 2012- Regular meeting - continued

3. Set Work Session for Heating Oil program – August 7th at 7:30 pm.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby set a work session to discuss the proposed heating oil program for Tuesday, August 7, 2012 at 7:30pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

There being no further discussion the meeting was adjourned at 10:05 pm.

Lisbeth Fumagalli, Town Clerk

Minutes of Executive Session Town Board of the Town of Bedford
July 17, 2012

On July 17, 2012 at approximately 10:10 p.m., the Town Board voted unanimously to go into Executive Session concerning possible litigation in regard to the water filtration plant. Attending the meeting were Supervisor Roberts and Town Board members Chryssos, Corcoran, Burdick and Gabrielson. Also attending the Executive Session were Town Public Works Commissioner Kevin Winn and Town Attorney Joel Sachs.

At the outset of the meeting, the Town Board unanimously appointed Joel Sachs as Acting Deputy Town Clerk. There followed a discussion among the Town Board members with Commissioner Winn and Attorney Sachs in regard to a legal claim related to the construction of the water filtration plant. A certain change order that had been presented to the Town in regard to the water filtration plant was discussed. No decisions were made and no votes were taken by the Town Board in regard to the matter.

Thereafter, a brief discussion followed in regard to certain financial issues involving the Town Department of Parks and Recreation and the Bedford Community Theatre. No decisions were made and no votes were taken.

The Executive Session adjourned at approximately 10:50 p.m.

Respectfully submitted,

Joel H. Sachs
Acting Deputy Town Clerk